

AGENDA # \_\_\_\_\_  
DATE November 17, 2008

\_\_\_\_\_ A.

SUBDIVISION: STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC)

DEVELOPER: LAND SOLUTIONS, LLC

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE  
IMPROVEMENTS TO STONEBRIAR PD, PHASE 8, PART OF AREA 7,  
(P.D. 03-355 CC) AND AUTHORIZE THE RECORDING OF THE PLAT  
WHEN BONDING PROCEDURES HAVE BEEN FULFILLED SPONSORED  
BY COMMISSIONER MIKE RITZ

LOCATION: ± 2800 FEET SOUTH OF EAST HOLMES ROAD AT GRAND PINE  
DRIVE

CA094795-8

**EXHIBIT A**  
**To Permanent Rules of Order of the Board of County Commissioners of Shelby County,**  
**Tennessee**

**SHELBY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ROUTE SHEET**

Referred to Commission Committee LAND USE

For Commission Action on November 17, 2008

**DESCRIPTION OF ITEM:**

RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED SPONSORED BY COMMISSIONER MIKE RITZ

**CHECK ALL THAT APPLY BELOW:**

  X   This Action does NOT require expenditure of funds.

       This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: \$                      ; County CIP Funds- \$                     

State Grant Funds: \$                      ; State Gas Tax Funds: \$                     

Federal Grant Funds: \$                     

Other funds (Specify source and amount): \$   

Other pass-thru funds (Specify source and amount): \$   

**Originating Department:** ENGINEERING

**APPROVAL:**

Dept. Head:	<u>Michael Oakes 545-4332</u>	<u>MWJ</u>	<u>10.23.08</u>
	(Type your name & phone #.)	(Initials)	(Date)
Elected Official:	<u>  </u>	<u>                    </u>	<u>                    </u>
	(Type your name & phone #.)	(Initials)	(Date)
Division Director:	<u>Ted Fox 545-4266</u>	<u>[Signature]</u>	<u>10-24-08</u>
	(Type your name & phone #.)	(Initials)	(Date)
CIP – A&F Director:	<u>  </u>	<u>                    </u>	<u>                    </u>
	(Type your name & phone #.)	(Initials)	(Date)
Finance Dept.	<u>  </u>	<u>                    </u>	<u>                    </u>
	(Type your name & phone #.)	(Initials)	(Date)
County Attorney:	<u>Lisa Kelly 545-4363</u>	<u>LK</u>	<u>10-30-08</u>
	(Type your name & phone #.)	(Initials)	(Date)
CAO/Mayor:	<u>  </u>	<u>                    </u>	<u>                    </u>
	(Type your name & phone #.)	(Initials)	(Date)

Item \_\_\_\_\_

Prepared by: ERMA HOLMES

Approved by Wick

RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED SPONSORED BY COMMISSIONER MIKE RITZ

WHEREAS, LAND SOLUTIONS, LLC, is the owner and developer of certain land located within the three-mile limit of the City of Memphis as indicated by the plat labeled as STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC), the final plan for which was approved by the County Engineer; and

WHEREAS, LAND SOLUTIONS, LLC, owner and developer, has decided to open up and improve said land and to that end secure the required approval of the County of Shelby; and

WHEREAS, LAND SOLUTIONS, LLC, owner and developer, has agreed to the terms and conditions of the necessary and required construction agreement in accordance with the current policies of Shelby County for the development of subdivisions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, that STONEBRIAR PD, PHASE 8, PART OF AREA 7 (P.D. 03-355 CC), final plan is hereby approved and the Mayor is hereby authorized to execute the Agreement on behalf of Shelby County, Tennessee, and said Agreement provides for the improvements to STONEBRIAR PD, PHASE 8, PART OF AREA 7 (P.D. 03-355 CC), and agrees to the terms and conditions required by and in accordance with the current development of subdivisions.

BE IT FURTHER RESOLVED, That the Developer has chosen the alternative bonding procedure as set forth in Section 502 of the Memphis and Shelby County Subdivision Regulations therefore, although this subdivision is approved the plat may not be signed and recorded until the aforementioned bonding procedure has been fulfilled.

BE IT FURTHER RESOLVED, That Article III, Section 3.06 (c) of the Shelby County Charter allows the County Mayor to assign or delegate certain duties and functions, and Section 3.06 of the aforementioned Charter states that "any function or duty may be assigned or re-assigned by the County Mayor to a major division of County Government".

BE IT FURTHER RESOLVED, That in the absence of the County Mayor, the Director of Public Works be, and the same is hereby authorized to authorize the recording of the plat for the said STONEBRIAR PD, PHASE 8, PART OF AREA 7 (P.D. 03-355 CC).

BE IT FURTHER RESOLVED, That this action is subject to City approval.

A C Wharton, Jr., Shelby County Mayor

Date \_\_\_\_\_

ATTEST:

Clerk of County Commission

ADOPTED: \_\_\_\_\_

## SUMMARY SHEET

### I. Description of Item

RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

### II Source and Amount of Funding

#### A. Amount Expended/Budget Line Item

N/A

#### B. All Costs (Direct/Indirect)

N/A

#### C. Additional or Subsequent Obligations or Expenses of Shelby County

N/A

### III. Contract Items

#### A. Type of Contract

City/County Standard Contract

#### B. Terms

N/A

### IV. Additional Information Relevant to Approval of This Item

N/A



DEVELOPMENT NAME: **STONEBRIAR PD, PHASE 8, PART OF AREA PD03-335CC**

RESIDENTIAL LOTS **27 LOTS**

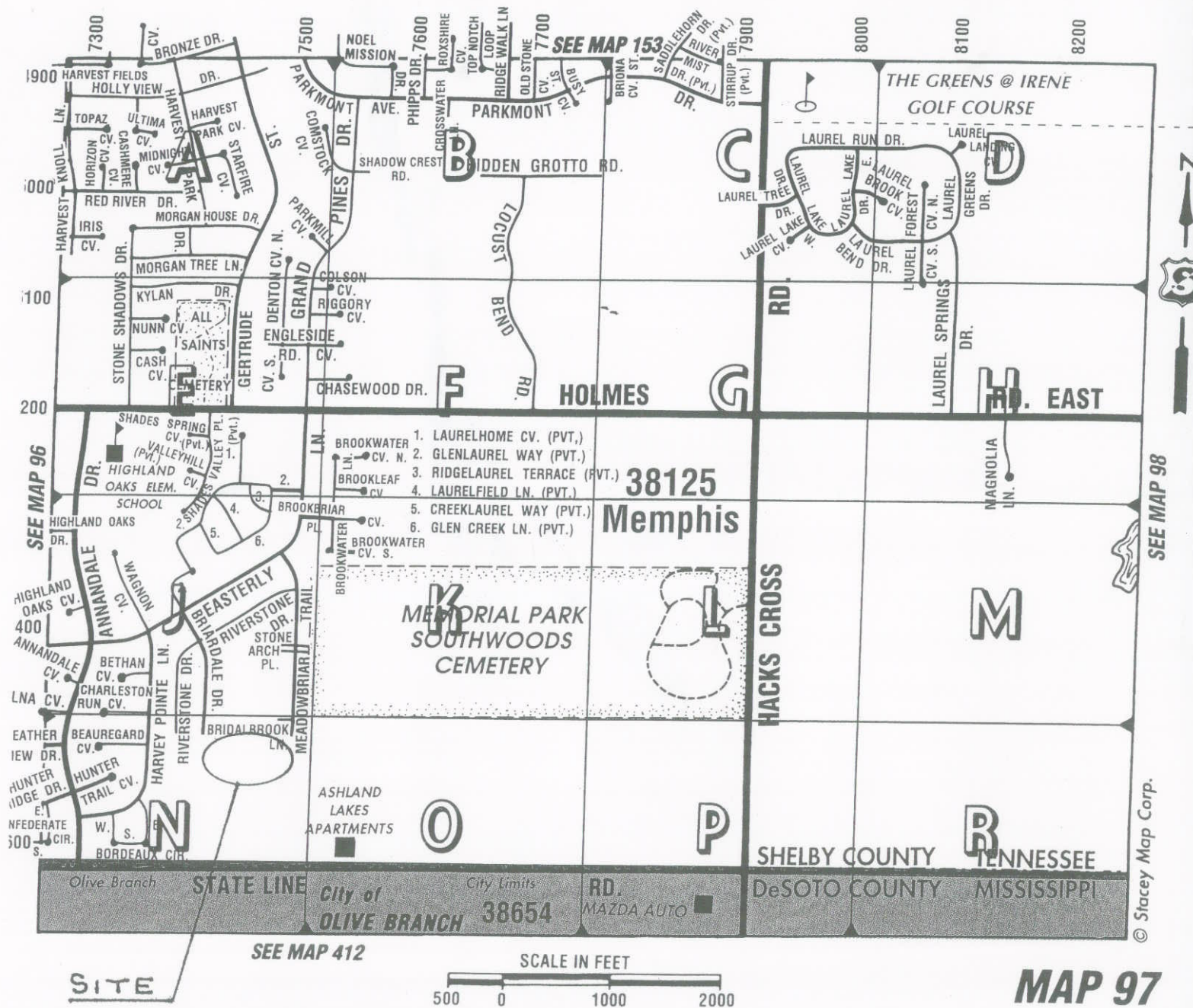
BOND AMOUNT **\$ 22,000.00 (ALTERNATIVE BOND)**

SCOPE OF CONTRACT

**CONSTRUCT RESIDENTIAL PLANNED DEVELOPMENT WITH FULL  
URBAN IMPROVEMENTS.**

REMARKS:

- **STANDARD PUBLIC IMPROVEMENT CONTRACT REQUIRED FOR  
PUBLIC INFRASTRUCTURE.**
- **THE PROJECT IS LOCATED IN THE MEMPHIS ANNEXATION  
RESERVE AREA.**
- **THE DEVELOPER WILL PAVE THE SURFACE ASPHALT ON ALL  
PUBLIC STREETS.**



# STONEBRIAR PD, PART OF AREA 7, PHASE 8 PD03 - 335CC

Section 9

**GRATUITY DISCLOSURE FORM**

Shelby County Ethics Commission

**INSTRUCTIONS:** This form is for all persons receiving any Shelby County Government contract, land use approval or financial grant money to report any gratuity that has been given, directly or indirectly, to any elected official, employee or appointee (including their spouses and immediate family members) who is involved in the decision regarding the contract, land use approval, or financial grant of money.

1. NAME

Doyle Ricks, Land Solutions, LLC

2. DATE OF GRATUITY

NA

3. NATURE AND PURPOSE OF THE GRATUITY

NA

4. NAME OF THE OFFICIAL, EMPLOYEE, APPOINTEE, OR FAMILY MEMBER WHO RECEIVED THE GRATUITY

NA

5. NAME OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY

NA

6. ADDRESS OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY

NA



## 7. DESCRIPTION OF THE GRATUITY

NA

## 8. COST OF THE GRATUITY (If cost is unknown and not reasonably discernible by the person giving the gratuity, then the person giving the gratuity shall report a good faith estimate of the cost of the gratuity.)

NA

## 9. The information contained in this Gratuity Disclosure Form, and any supporting documentation or materials referenced herein or submitted herewith, is true and correct to the best of my knowledge, information and belief and affirm that I have not given, directly or indirectly, any gratuity to any elected official, employee or appointee (including spouse and immediate family members) that has not been disclosed and I affirm that I have not violated the provisions of the Shelby County Government Code of Ethics.

LAND SECURITY, LLC  
X Signature CHIEF MANAGER

10-23-08  
X Date

Doyle C. Rick  
X Print Name

A copy of your completed form will be placed on the Shelby County Internet website.



## LAND USE OWNERSHIP DISCLOSURE

Please identify every person who has an ownership interest of 10% or more in the subject application whether they be the current owners, the contract buyers, or the lenders. If current owner or contract buyer are public corporations, please note the fact and list no other owners. Only lenders which are not institutions (banks, saving and loans or credit unions) need be listed.

Project Name: STONEBRIAR, phase 8 Case# PD 03-3352C

Developer Name: LAND SOLUTIONS, LLC

	NAMES	ADDRESSES
<u>CURRENT OWNERS</u>	<u>DOYLE C. RICKS AND G.</u>	<u>P.O. Box 38403, Germantown TN 38138</u>
	<u>Rosenberg LLC</u>	<u>P.O. Box 38403, Germantown, TN 38138</u>

CONTRACT OWNERS/BUYERS

NONE

NON-INSTITUTIONAL LENDERS INCLUDING SELLER(S) IF THE PENDING SALE IS OWNER FINANCED

NONE